

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

CLEARONE ADVANTAGE, LLC,

*

Plaintiff,

*

v.

*

Civ. No. JKB-23-03446

MICHAEL H. KERSEN, *et al.*,

*

Defendants.

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* * * * *

MEMORANDUM AND ORDER

Pending before the Court is Plaintiff's Motion for Clerk's Entry of Default (ECF No. 62), and Defendant Gilmore's Motion for Extension of Time to File Answer (ECF No. 65). In Gilmore's Motion, he explains that he is not a lawyer or represented by a lawyer, and that he (erroneously) thought that his appearance at the Preliminary Injunction Hearing obviated the need for him to file an Answer to Plaintiff's Complaint. (See ECF No. 65.) Given Gilmore's pro se status, and given this Court's "preference to resolve cases on the merits and to avoid procedural defaults whenever possible," *Parrish v. Leithman*, Civ. No. JKB-23-0342, 2023 WL 7632070, at *1 (D. Md. Nov. 14, 2023) (quotations and alterations omitted), the Court will give Gilmore one final opportunity to file an Answer to Plaintiff's Complaint.

Accordingly, it is ORDERED that:

1. Gilmore's Motion for Extension of Time to File Answer (ECF No. 65) is GRANTED;
2. Gilmore SHALL FILE an Answer no later than Thursday, June 21, 2024;
3. Gilmore is FOREWARNED that the Court will not grant any further extensions of time to file an Answer; and

4. Plaintiff's Motion for Clerk's Entry of Default (ECF No. 62) is DENIED, without prejudice to Plaintiff re-filing such Motion if Gilmore fails to timely file an Answer in accordance with this Memorandum and Order.

DATED this 13 day of June, 2024.

BY THE COURT:

A handwritten signature in blue ink, reading "James K. Bredar", is written over a horizontal line.

James K. Bredar
United States District Judge